

# FY 2016 CDBG Applications





# Staff Contacts

- Jean Wolfgang
- 414-278-4880
- Jean.Wolfgang@milwaukeecountywi.gov
- Fax: 223-1815
- Victoria Toliver
- 414-278-2948
- Victoria.Toliver@milwaukeecountywi.gov
- Fax: 223-1825



# Application Deadline

- July 17, 2015
- Email one copy
- Mail one signed original
- [CDBGapplications@milwaukeecountywi.gov](mailto:CDBGapplications@milwaukeecountywi.gov)
- Victoria.Toliver@milwaukeecountywi.gov





# FY 2016 Schedule

- June 15, 2015, 1<sup>st</sup> Public Hearing
- July 17, 2015 Application Deadline
- September 14, 2015, 2<sup>nd</sup> Public Hearing & presentations
- October 26, 2015 staff recommendation will be taken to ECD based on scoring and presentations
- November 1 - November 30, 2015, 30-day comment period for Annual Action Plan
- December 1, 2015 or when HUD authorizes the submittal of our Annual Action Plan



# 2016 Schedule Continued

- Once the Annual Plan with the allocations is approved we have to wait for Congress to pass a budget.
- Once there is a budget passed HUD will announce allocations and about 60-days later sign a contract with the County.
- Once the County has the signed HUD contract, the County will sign with sub-recipients.
- By October we must not have more than 1.5x times the County allocation unspent or money will be lost.



# Application

- The application is found on the housing web site.
- <http://county.milwaukee.gov/HealthandHumanServices7753/HousingDivision/Programs/CDBG-Program/2014-CDBG-Application.htm>



# HUD Resources

- Milwaukee County has to follow the HUD rules and there is no need for these rules to be a mystery.
- [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning)
- Additional helpful links are on our web page as well.



# Estimated 2016 Allocation

- \$1,379,572
- Public Service Maximum \$206,936



# Milwaukee County CDBG Jurisdiction

- Bayside
- Brown Deer
- Cudahy
- Fox Point
- Franklin
- Glendale
- Greendale
- Greenfield
- Hales Corners
- Oak Creek
- Shorewood
- South Milwaukee
- St. Francis
- West Milwaukee
- Whitefish Bay



# Public Service & Allocations

- It is inefficient to have a non-profit have numerous small contracts with municipalities.
- With a letter of support from municipalities the County can have one large contract with a non-profit and still have municipalities allocate funds to non-profits.
- Interfaith is an example of this.



# County Board Policy

- 1994 Resolution (93-861) set a maximum funding amount for non-County projects at \$40,000 and limited public service funding to 3 years.
- 2002 Resolution set a funding minimum of \$25,000.
- Staff will be recommending changes to these policies.
- Last year the County Board chose to ignore the minimum policy and enforced the three year policy.



# Application Category

- Application Category will determine the funding caps in some cases and also help determine the cross-cutting regulations that are applicable.
- **Public Service** - service provided to eligible persons
- **Economic Development** - job creation
- **Capital Improvement** - bricks and mortar projects or housing rehabilitation



# National Objectives and Matrix Codes

- If a project does not fit a national objective and have a corresponding matrix code, it can't be funded. HUD gives clear guidance on both.
- <http://county.milwaukee.gov/ImageLibrary/Groups/cntyHHS/Housing---2014-CDBG-Documents/NationalObjectiveandMatrixCodi.pdf>



# Clients or Households

- Clients
  - **Presumed Benefit**
    - (i) *Abused children*
    - (ii) *Elderly persons 62 years or older*
    - (iii) *Battered spouses*
    - (iv) *Severely disabled adults*
    - (v) *Illiterate adults*
    - (vi) *Persons living with HIV/AIDS*
    - (vii) *Migrant farm workers*
    - (viii) *Homeless persons*
  - **Self-certification**
- Households
  - MC uses 24 CFR Part 5 definition of income
  - Project income 12-months forward
  - Use 2% of assets (excluding home) added to annual income
  - Must have source documentation



# Area Benefit

- At least 42.81% of households in the area must be low-income. Area must be in the CDBG jurisdiction.
- You can now map this on the HUD web site, submit map with application.
- <http://egis.hud.gov/cpdmaps/>



Household Size	Income Limit (2015)
1 EXTRA LOW VERY LOW LOW	\$15,400 \$25,700 \$41,100
2 EXTRA LOW VERY LOW LOW	\$17,600 \$29,350 \$46,950
3 EXTRA LOW VERY LOW LOW	\$23,400 \$39,000 \$59,250
4 EXTRA LOW VERY LOW LOW	\$26,000 \$43,300 \$58,650
5 EXTRA LOW VERY LOW LOW	\$28,410 \$39,600 \$63,350
6 EXTRA LOW VERY LOW LOW	\$32,570 \$42,550 \$68,050



# At what income do you presume?

Category	Income Level
Abused Children	Extremely-low income
Batter Spouses	Low Income
Severely Disabled	Low Income
Homeless persons	Extremely-low income
Illiterate adults	Low income
Persons with AIDS	Low income
Migrant farm workers	Low income
Elderly: Senior center activities or improvement	Moderate income
Elderly: Other services not center based	Low income



# Limited clientele categories

§ 570.208 Criteria for national objectives (vii)(2)(A)  
Benefit a clientele who are generally presumed to be principally low and moderate income persons.  
Activities that exclusively serve a group of persons in any one or a combination of the following categories may be presumed to benefit persons, 51 percent of whom are low- and moderate-income: **abused children, battered spouses, elderly persons, adults meeting the Bureau of the Census' Current Population Reports definition of “severely disabled,” homeless persons, illiterate adults, persons living with AIDS, and migrant farm workers;**



# Definition of elderly

- **[24 CFR 891.205]**
- **Elderly Person.** An elderly person is a person at least 62 years of age or more.





# Definition of severely disabled

## Definition of Severely Disabled

- Persons are considered severely disabled if they:
- Use a wheelchair or another special aid for 6 months or longer;
- Are unable to perform one or more functional activities (seeing, hearing, having one's speech understood, lifting and carrying, walking up a flight of stairs and walking);
- Need assistance with activities of daily living (getting around inside the home, getting in or out of bed or a chair, bathing, dressing, eating and toileting) or instrumental activities of daily living (going outside the home, keeping track of money or bills, preparing meals, doing light housework and using the telephone);
- Are prevented from working at a job or doing housework;
- Have a selected condition including autism, cerebral palsy, Alzheimer's disease, senility or dementia or mental retardation; or
- Are under 65 years of age and are covered by Medicare or receive Supplemental Security Income (SSI).



# EXCLUSIVELY BENEFIT

CDBG funds must exclusively benefit the presumed benefit group.

Options:

1. Require that only the severely disabled or persons 62 and older participate in your senior centers; or
2. Track participants and determine what percentage are either 62 and older or severely disabled and prorate program costs charged to CDBG.
  - Example: If 98% of clients are 62 and older and the cost of a service is \$10,000, only charge \$9,800 of the costs to CDBG.



# So you have presumed benefit, what other data do you need to collect?

1. Number of clients served, unduplicated.
2. Race of clients served.
3. Ethnicity of clients served.



# Number of clients served examples

1. You fund 5 Health Education Seminars at the Senior Center (62 and older).

- You have sign in sheets for each seminar.
- You eliminate duplicate names of people attending multiple sessions.
- You report the total after duplications are removed.

2. You fund overall operation expenses of a senior center (Staff, maintenance, building expenses).

- Utilize membership records and total the members for the year.



# Race Information to be Collected (Clients)





# Race data: Check what best describes you (option 1)

American Indian/Alaskan Native	Black/African American & White
Asian	Asian & White
Black/African American	American Indian/Alaskan Native & Black/African American
Native Hawaiian/Other Pacific Islander	Other/Multi-race
White	
American Indian/Alaskan Native & White	



# Race data: check all that apply (option 2)

American Indian or Alaska Native

Asian

Black or African American

Native Hawaiian or Other Pacific Islander

White

Other



# Ethnicity: select one

- **1. Hispanic or Latino.** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. The term “Spanish origin” can be used in addition to “Hispanic” or “Latino.”
- **2. Not Hispanic or Latino.** A person not of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.



# Cross-Cutting Regulations

- Conflict of Interest
  - We will ask for Board information and conflict of interest information to comply with the Federal rules and County ordinances.
  - Anyone employed with the County now or in the past 12-months may not contract with the County.
  - If there is a possible conflict, HUD requires a notice be posted for 10-days and comments taken. Corp. Counsel determines if the conflict actually exists and gives its legal determination to HUD.



# Cross-cutting Regulations

- Lobbying. HUD funds may not be used for lobbying.
- Debarment. Using an entities DUNS # you must check the debarred list and keep results on file.  
<https://www.sam.gov/portal/public/SAM/> YOU MUST RUN ALL SUB-CONTRACTORS/VENDORS PRIOR TO SIGNING A CONTRACT OR YOU WILL NOT BE REIMBURSED.
- Drug-free Workplace.



# Cross-Cutting Regulations



- Civil Rights.
  - Municipalities MUST affirmatively further Fair Housing.
  - New Berlin / Waukesha County Case (contact City Village Municipal Insurance Company (CVMIC) for more information)
  - Westchester County, \$21.6 million
    - <http://www.hud.gov/content/releases/settlement-westchester.pdf>
  - The County will sanction funds upon a violation.



# Cross-Cutting Regulations

- ADA & Section 504
  - Your programs and projects **MUST** be accessible to persons with disabilities.
  - [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/fair\\_housing\\_equal\\_opp/disabilities/sect504faq](http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/sect504faq)



# Procurement

- Be advised that State Municipal requirements may be more stringent than Federal.
- There needs to be fair and open competition and the process must establish cost reasonableness.
- Must have written policies.



# Non-Profit Procurement

- 2 CFR 200
- [http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl)
- 24 CFR 84
- <https://www.hudexchange.info/resource/4/24-cfr-part-84-uniform-administrative-requirements-for-grants-and-agreements-with-institutions-of-higher-education-hospitals-and-other-nonprofit-organizations/>
- Must make an effort to use WBE & MBE contractors. Must send bid notices to contractors on DBE list.  
<http://county.milwaukee.gov/cbdp/CertifiedVendorList.htm>



# Government Procurement

- 2 CFR 200
- [http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl)
- 24 CFR 85
- [http://www.hud.gov/offices/lead/library/lead/24\\_CFR PART\\_85.pdf](http://www.hud.gov/offices/lead/library/lead/24_CFR_PART_85.pdf)
- Sealed bids required over \$100,000 (State is more stringent).
- Must make an effort to use WBE & MBE contractors.  
Must send bid notices to contractors on DBE list.  
<http://county.milwaukee.gov/cbdp/CertifiedVendorList.htm>



# Cross-Cutting Regulations

- Audit Requirements, 2 CFR 200
  - If receiving more than \$750,000 in federal dollars, single audit required.
  - We need a copy of your most recent single-audit.
- Section 3 - If a capital improvement project will create new jobs, must attempt to hire local low-income residents and people in subsidized housing.



# Real Property

- Do not apply for a project that involves purchase of real property or displacement of occupants or businesses without speaking to the Program Manager, Jean Wolfgang, 414-278-4880.
- Uniform Relocation Act (URA) applies to a project even if only \$1 of CDBG is in it.
- URA is expensive and complicated.
- State approved relocation plan is required.



# Environmental Review

- CDBG staff spends a great deal of time reviewing your projects.
- If you have done a review or partial review, please provide it with your application.
- You are limited on what you can do in a flood plain.
- You may need State approval if working on a property on the historical register.



# Housing/Lead Paint

- 24 CFR 35 Subpart J applies to lead-paint and housing.
- Wisconsin Administrative Code HFS 163 is also applicable.



# Davis Bacon - Federal Wage Rates

- Davis Bacon is applicable on any non-housing project in which you spend \$2,000 or more.
- Must inform bidders this is applicable.
- Must contact Victoria for pre-construction meetings, 414-278-2948.
- Wage rates are available at:  
<http://www.wdol.gov/>
- State rates may be higher and applicable.
- Must get certified payrolls and audit them.



# DocuSign/Electronic Signature Wave of the Future

- Milwaukee County has instituted an electronic signature process for approval of CDBG contracts called DocuSign.
- DocuSign lets you sign documents electronically and easily send documents for electronic signature in just minutes. Whether you're in the office, at home, on-the-go-or even across the globe DocuSign works every time. It's safe, secure, and legally binding.
- DocuSign electronic signatures are valid and legally binding around the world. In fact DocuSign offers industry leading levels of eSignature enforceability which can help with the U.S. federal E-SIGN Act and UETA Act, as well as many other laws and statutes.
- You can obtain information regarding DocuSign at <https://www.docusign.com/how-it-works>.



# Record Keeping

You must keep records to support data provided to the program.



# Reporting: incorrect (senior center operations)



RACE	Clients or Households (circle one)	Hispanic/Latino
AMER. INDIAN/ALASKAN NATIVE	2	
ASIAN	2	
BLACK/AFR. AMERICAN	35	1
NATIVE HAWAIIAN/OTHER PACIFIC ISLANDER		
WHITE	85	16
AMERICAN INDIAN/ALASKAN NATIVE & WHITE		
BLACK/AFRICAN AMERICAN & WHITE		
ASIAN & WHITE	1	
AMERICAN INDIAN/ALASKAN NATIVE & BLACK/AFRICAN AMERICAN		
OTHER/MULTI RACE	14	1
Total	139	18

Extremely Low-Income Under 30% CMI	Low-Income 30% to 49% CMI	Moderate Income 50% to 80% CMI	Over Moderate Income, Over 80% CMI	Total Clients/Households
	157			157



# Reporting: correct (senior center operations)



RACE	Clients or Households (circle one)	Hispanic/Latino
AMER. INDIAN/ALASKAN NATIVE	2	
ASIAN	2	
BLACK/AFR. AMERICAN	35	1
NATIVE HAWAIIAN/OTHER PACIFIC ISLANDER		
WHITE	85	16
AMERICAN INDIAN/ALASKAN NATIVE & WHITE		
BLACK/AFRICAN AMERICAN & WHITE		
ASIAN & WHITE	1	
AMERICAN INDIAN/ALASKAN NATIVE & BLACK/AFRICAN AMERICAN		
OTHER/MULTI RACE	14	1
Total	139	18

Extremely Low-Income Under 30% CMI	Low-Income 30% to 49% CMI	Moderate Income 50% to 80% CMI	Over Moderate Income, Over 80% CMI	Total Clients/Households
		139		139



# Milwaukee County Fraud Hotline

- MILWAUKEE COUNTY GOVERNMENT
- H O T L I N E
- Ph: (414) 93-FRAUD - Fax: (414) 223-1895
- (933-7283)
- Write: Department of Audit Hotline- 633 West Wisconsin Avenue, Suite 904, Milwaukee, WI 53203
- A service of the Milwaukee County Department of Audit
- <http://county.milwaukee.gov/FraudHotline7880.htm>



# Questions